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| EXAMINER |
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3639

DATE MAILED: 07/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/991,428

Applicant(s)

AWAIDA ET AL.

Examiner

Nathan Erb

Art Unit

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-76 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-76 is/are rejected.
- 7) ☒ Claim(s) 28,30,36 and 67 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>20020521</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement filed 8-16-2004 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. No copies were received for the three documents that have been crossed out on that information disclosure statement, and thus, those three documents have not been considered.

### ***Claim Objections***

2. Claims 28, 30, 36, and 67 are objected to because of the following informalities:
  - a. In the first line of claim 28, please replace the phrase "of 27" with --of claim 27--.
  - b. In the second line of claim 30, please replace the phrase "the wherein" with --wherein the--.
  - c. In the first line of claim 36, please replace the word "comprising" with --comprises--.
  - d. In the first line of claim 67, please replace the phrase "of 66" with --of claim 66--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 29 and 58 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per **Claim 29**, on the eleventh line of the claim, the phrase "a query" appears. The phrase "a query" appears above on the ninth line of claim 29. It is unclear whether the same or a different "query" is being referred to.

As per **Claim 58**, claim 58 recites the limitation "the classification module" in the first and second lines of the claim. There is insufficient antecedent basis for this limitation in the claim.

As per **Claim 58**, claim 58 recites the limitation "the good" in the second line of the claim. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States

6. Claims 68, 71, and 73-74 are rejected under 35 U.S.C. 102(b) as being anticipated by Carter, U.S. Patent No. 5,878,400.

As per **Claim 68**, Carter discloses:

- a method of calculating costing information (column 3, lines 6-20);
- storing, in a computer-readable database, content for generating costing information, the content comprising data describing potential costs and rules for interpreting the data (Figure 4B; column 5, lines 8-29; column 10, lines 22-53; column 19, lines 4-19; column 19, lines 20-50);
- receiving data representative of a query requesting costing information (column 19, lines 4-19);
- executing the rules and interpreting the data in the database responsive to the query to generate the requested costing information (column 19, lines 20-50);
- outputting the requested costing information (column 3, lines 6-20; column 19, lines 20-50; outputting the requested costing information is inherent in the reference because the user could not use the system to calculate costing information if the system did not output that cost information).

As per **Claim 71**, Carter further discloses: wherein the stored content further comprises data describing freight rates for shipping goods and rules for interpreting the freight rates (Figure 4B; column 5, lines 8-29; column 7, lines 49-67; column 8, lines 15-34; column 10, lines 22-53; column 15, lines 24-37; column 19, lines 4-19; column 19, lines 20-50).

As per **Claim 73**, Carter further discloses: wherein the step of receiving data representative of a query requesting costing information comprises the step of receiving data

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describing a transaction to which the costing information pertains (column 3, lines 6-20; column 19, lines 4-19).

As per **Claim 74**, Carter further discloses: wherein the step of receiving data representative of a query further comprises the step of overriding at least a portion of the stored content with the received data describing the transaction to which the costing information pertains (Figure 7; Figure 15A; Figure 15B; Figure 15C; column 14, lines 1-42; column 14, line 43, through column 15, line 23; column 18, lines 27-49; user may set pricing rules which override the rules previously in the system; user may set specific override and exception rules).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-4, 7-10, 12-15, 17-19, 21, 24, 26-32, 34-36, 38, 41, 43-49, 52, 54, 56-58, 60, 63, 65-67, 69-70, and 75-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter in view of Pool et al., U.S. Patent No. 6,460,020.

As per **Claim 1**, Carter discloses:

- a system for delivering real-time costing information (column 3, lines 6-20; column 11, lines 45-67);

- a database adapted to store content (column 19, lines 4-19);
- a tree having a hierarchy of nodes in which goods can be classified (Figure 4B; the tree being an HS tree is discussed later in this rejection);
- a tariffs module for storing information describing tariffs applicable to goods classified in nodes of the tree (Figure 4B; Figure 5; column 8, line 35, through column 9, line 2; column 9, line 40, through column 10, line 21; claims 31, 32, and 37; the tree being an HS tree is discussed later in this rejection; the word "tax" encompasses tariffs);
- a knowledge base in communication with the database, the knowledge base adapted to provide an application programming interface (API) for receiving a query requesting costing information, executing the query on the content in the database, and generating the requested costing information in response thereto (Figure 15A; Figure 15B; Figure 15C).

Carter fails to disclose a harmonized system (HS) module for storing information describing a country's HS tree. Pool et al. discloses a harmonized system (HS) module for storing information describing a country's HS tree (column 3, line 60, through column 4, line 20; column 6, line 51, through column 7, line 5). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter such that it includes a harmonized system (HS) module for storing information describing a country's HS tree, as disclosed by Pool et al. Pool et al. provides motivation in that using an HS module allows one to determine the real price of an international transaction (column 6, line 51, through column 7, line 5).

As per **Claim 2**, Carter further discloses: wherein the knowledge base is adapted to receive via the API information pertaining to the query that is not known in advance and wherein the knowledge base utilizes the received information to generate the requested costing information (Figure 15A; Figure 15B; Figure 15C).

As per **Claim 3**, Carter further discloses: wherein the knowledge base is adapted to receive via the API information pertaining to the query that overrides content stored in the database and wherein the knowledge base utilizes the received information to generate the requested costing information (Figure 7; Figure 15A; Figure 15B; Figure 15C; column 14, lines 1-42; column 14, line 43, through column 15, line 23; column 18, lines 27-49; user may set pricing rules which override the rules previously in the system; user may set specific override and exception rules).

As per **Claim 4**, Carter further discloses: wherein the knowledge base comprises a data subscription module for initiating a transfer of content from an external source to the database (column 5, lines 55-67; column 17, line 65, through column 18, line 26; column 19, lines 4-19; the user may modify the system; the system stores information in a database; the user may be an external source remote from the main part of the system).

As per **Claim 7**, Carter further discloses: an applications server in communication with the knowledge base and adapted to execute one or more applications for generating the query against the content in the database and transmit the query to the knowledge base via the API



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(column 5, lines 55-67; column 16, line 53, through column 17, line 2; column 18, line 50, through column 19, line 3; column 19, lines 4-19).

As per **Claim 8**, Carter fails to disclose wherein the applications server is remote from the knowledge base and database. Pool et al. further discloses wherein the applications server is remote from the knowledge base and database (column 3, line 60, through column 4, line 20; column 4, lines 21-31; column 6, line 51, through column 7, line 5; the knowledge base and database correspond to the databases in the reference; reference discloses that communications between the transaction program and the databases can be carried out using telephone lines which implies remote databases). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 7 such that the applications server is remote from the knowledge base and database, as disclosed by Pool et al. Motivation is provided in that it was well-known to a person of ordinary skill in the art at the time of applicants' invention that allowing remote communications between components of a system allows flexibility by not requiring components to be at the same location.

As per **Claim 9**, Carter further discloses: wherein the applications server is local to the knowledge base and database (Figure 3; column 5, lines 8-29; column 5, lines 55-67; in the remote terminal case, the applications server is local to the knowledge base and database).

As per **Claim 10**, Carter fails to disclose wherein the applications server is adapted to execute an application for identifying documentation utilized in a shipment of goods responsive to the content in the database. Pool et al. further discloses wherein the applications server is adapted to execute an application for identifying documentation utilized in a shipment of goods responsive to the content in the database (column 6, line 51, through column 7, line 5; column 11, line 36, through column 12, line 22). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 7 such that the applications server is adapted to execute an application for identifying documentation utilized in a shipment of goods responsive to the content in the database, as disclosed by Pool et al. Pool et al. provides motivation in that proper documentation is needed so that a shipment can clear national customs (column 11, line 36, through column 12, line 22).

As per **Claim 12**, Carter further discloses: a knowledge workbench in communication with the knowledge base and adapted to execute one or more applications for modifying content in the database (column 7, lines 49-67; column 10, line 54, through column 11, line 33; column 12, lines 15-39; column 13, lines 49-67; column 14, line 43, through column 15, line 23; column 15, line 50, through column 16, line 26; column 19, lines 4-19; column 19, lines 20-50; note all the ways in which the user can modify the pricing information in the database).

As per **Claim 13**, Carter fails to disclose wherein the knowledge workbench is remote from the knowledge base and database. Pool et al. further discloses wherein the knowledge

workbench is remote from the knowledge base and database (column 3, line 60, through column 4, line 20; column 4, lines 21-31; column 6, line 51, through column 7, line 5; the knowledge base and database correspond to the databases in the reference; reference discloses that communications between the transaction program and the databases can be carried out using telephone lines which implies remote databases). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 12 such that the knowledge workbench is remote from the knowledge base and database, as disclosed by Pool et al. Motivation is provided in that it was well-known to a person of ordinary skill in the art at the time of applicants' invention that allowing remote communications between components of a system allows flexibility by not requiring components to be at the same location.

As per **Claim 14**, Carter further discloses: wherein the knowledge workbench is local to the knowledge base and database (Figure 3; column 5, lines 8-29; column 5, lines 55-67; in the remote terminal case, the knowledge workbench is local to the knowledge base and database).

As per **Claim 15**, Carter further discloses: performing a catalog harmonizer function for harmonizing goods according to the tree in the module in the database and storing content representative of the harmonization in the database (Figure 4B; column 3, lines 39-46; column 7, lines 49-67; column 19, lines 4-19; the tree being an HS tree and the module being an HS module were addressed in the rejection for claim 1; knowledge workbench was addressed in the rejection for claim 12; in the reference, the user performs a catalog harmonizer function). Carter

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further discloses using computers and programs to automate functions (Figure 3; column 5, lines 8-29; column 5, lines 55-67; column 19, lines 4-19; Carter doesn't specifically disclose a computer system and software performing the complete catalog harmonizer function; however, it does disclose the user performing a catalog harmonizer function and, separately, using computers and programs to perform other functions). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 12 such that it uses computers and programs to automate the catalog harmonizer function; in doing so, it would be using computers and programs to automate functions, as disclosed by Carter. Motivation is provided in that it was well-known to a person of ordinary skill in the art at the time of applicants' invention that computers and programs can often perform tasks more quickly and accurately than humans.

As per **Claim 17**, Carter further discloses: wherein the knowledge workbench comprises a rules editor module for providing custom rules affecting the operation of the system to the database, wherein the knowledge base is adapted to execute the query on the custom rules (Figure 4A; Figure 4B; column 5, lines 55-67; column 6, lines 17-53; column 7, lines 49-67; column 7, lines 49-67; column 10, line 54, through column 11, line 33; column 14, line 43, through column 15, line 23; column 16, line 53, through column 17, line 2; column 19, lines 4-19; column 19, lines 20-50; note all the ways in which the user can modify the pricing information in the database).

As per **Claim 18**, Carter further discloses: a classification function for accepting data representative of a good and for classifying the good in at least one node of the tree (Figure 4B; column 7, lines 49-67; the tree being an HS tree was addressed in the rejection for claim 1; knowledge base was addressed in the rejection for claim 1; in the reference, the user is performing this classification function). Carter further discloses using computers and programs to automate functions (column 5, lines 55-67; claim 31; Carter doesn't specifically disclose a computer system and software performing the classification function; however, it does disclose the user performing a classification function and, separately, using computers and programs to perform other functions). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 1 such that it uses computers and programs to automate the classification function; in doing so, it would be using computers and programs to automate functions, as disclosed by Carter. Motivation is provided in that it was well-known to a person of ordinary skill in the art at the time of applicants' invention that computers and programs can often perform tasks more quickly and accurately than humans.

As per **Claim 19**, Carter further discloses: wherein the classification function is adapted to output a plurality of nodes in which the good can be classified (column 8, lines 15-34; using computers and programs to automate functions [for example, using a module to perform the function of this limitation] was addressed in the rejection for claim 18; the user may classify a product under more than one product group).

As per **Claim 21**, Carter further discloses: wherein the classification function is adapted to output a partial classification of the good in the tree (Figure 4B; column 7, lines 49-67; column 8, lines 15-34; the tree being an HS tree was addressed in the rejection for claim 1; using computers and programs to automate functions [for example, using a module to perform the function of this limitation] was addressed in the rejection for claim 18; the user may classify a product under more than one product group; therefore, any time a product has been classified in more than one product group, each individual product group can be considered a partial classification of that product).

As per **Claim 24**, Carter further discloses: wherein the database content comprises rules, and wherein the knowledge base comprises a rules module adapted to execute the rules in the database responsive to the query received via the API in order to generate the costing information (column 5, lines 8-29; column 19, lines 4-19; column 19, lines 20-50).

As per **Claim 26**, Carter further discloses: wherein the knowledge base further comprises a landed-cost generation module for generating a landed-cost estimate responsive to a query identifying a shipment of a good and the content in the database (column 5, lines 8-29; column 10, lines 22-53; column 19, lines 4-19; column 19, lines 20-50).

As per **Claim 27**, Carter further discloses: wherein the landed-cost generation module is adapted to estimate the landed cost responsive to the good's classification in the tree and the tariff associated with the good's classification (Figure 4B; column 3, lines 39-46; column 10,

lines 22-53; column 19, lines 4-19; column 19, lines 20-50; the tree being an HS tree was addressed in the rejection for claim 1; the word "tax" encompasses tariffs).

As per **Claim 28**, Carter further discloses: wherein the landed-cost generation module is further adapted to estimate the landed cost responsive to freight rate information stored in the database and describing rates for the shipment of the good (column 5, lines 8-29; column 10, lines 22-53; column 15, lines 24-37; column 19, lines 4-19; column 19, lines 20-50).

As per **Claim 29**, Carter discloses:

- a method of delivering real-time costing information (column 3, lines 6-20; column 11, lines 45-67);
- storing content in a database (column 19, lines 4-19);
- a tree having a hierarchy of nodes in which goods can be classified (Figure 4B; the tree being an HS tree is discussed later in this rejection);
- a tariffs module for storing information describing tariffs applicable to goods classified in nodes of the tree (Figure 4B; Figure 5; column 8, line 35, through column 9, line 2; column 9, line 40, through column 10, line 21; claims 31, 32, and 37; the tree being an HS tree is discussed later in this rejection; the word "tax" encompasses tariffs);
- providing an application programming interface (API) for receiving a query requesting costing information (Figure 15A; Figure 15B; Figure 15C);
- responsive to receiving a query via the API, executing the query on the content in the database to generate the requested costing information (Figure 15A; Figure 15B; Figure 15C);

- responsive to executing the query, providing the requested costing information (column 3, lines 6-20; column 11, lines 45-67; Figure 15A; Figure 15B; Figure 15C).

Carter fails to disclose a harmonized system (HS) module for storing information describing a country's HS tree. Pool et al. discloses a harmonized system (HS) module for storing information describing a country's HS tree (column 3, line 60, through column 4, line 20; column 6, line 51, through column 7, line 5). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter such that it includes a harmonized system (HS) module for storing information describing a country's HS tree, as disclosed by Pool et al. Pool et al. provides motivation in that using an HS module allows one to determine the real price of an international transaction (column 6, line 51, through column 7, line 5).

As per **Claim 30**, Carter further discloses: wherein the API is adapted to receive information pertaining to the query that is not known in advance and wherein the requested costing information is generated responsive to the information pertaining to the query that is not known in advance (Figure 15A; Figure 15B; Figure 15C).

As per **Claim 31**, Carter further discloses: wherein the API is adapted to receive information pertaining to the query that overrides content stored in the database and wherein the requested costing information is generated responsive to the overriding information (Figure 7; Figure 15A; Figure 15B; Figure 15C; column 14, lines 1-42; column 14, line 43, through column



15, line 23; column 18, lines 27-49; user may set pricing rules which override the rules previously in the system; user may set specific override and exception rules).

As per **Claim 32**, Carter further discloses: wherein the storing step comprises the step of initiating a transfer of content from an external source to the database (column 5, lines 55-67; column 17, line 65, through column 18, line 26; column 19, lines 4-19; the user may modify the system; the system stores information in a database; the user may be an external source remote from the main part of the system).

As per **Claim 34**, Carter further discloses: wherein the content in the database further comprises a module for storing custom rules that are selectively applied responsive to the execution of the query on the content in the database (Figure 4A; Figure 4B; column 5, lines 55-67; column 6, lines 17-53; column 7, lines 49-67; column 7, lines 49-67; column 10, line 54, through column 11, line 33; column 14, line 43, through column 15, line 23; column 16, line 53, through column 17, line 2; column 19, lines 4-19; column 19, lines 20-50; note all the ways in which the user can modify the pricing information in the database).

As per **Claim 35**, Carter further discloses: receiving data representative of a good (Figure 4B; column 7, lines 49-67; with respect to the reference, the user receives the data at some point prior to using it); classifying the good in at least one node of the tree (Figure 4B; column 7, lines 49-67; the tree being an HS tree was addressed in the rejection for claim 29; in the reference, the user is performing this classification function); storing data representative of

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the good's classification in the database (Figure 4B; column 5, lines 8-29; column 7, lines 49-67; column 7, lines 49-67; column 8, lines 15-34; column 19, lines 4-19).

As per **Claim 36**, Carter further discloses: wherein the classifying step further comprises the step of identifying a plurality of nodes in which the good can be classified (column 8, lines 15-34; the user may classify a product under more than one product group); receiving data representative of a selection of one or more of the plurality of nodes in which the good is to be classified (Figure 4B; column 7, lines 49-67; column 8, lines 15-34; in the reference, the user makes the selection; the user may classify a product under more than one product group).

As per **Claim 38**, Carter further discloses: wherein the classifying step comprises the step of identifying a partial classification for the good in the tree (Figure 4B; column 7, lines 49-67; column 8, lines 15-34; the tree being an HS tree was addressed in the rejection for claim 29; the user may classify a product under more than one product group; therefore, any time a product has been classified in more than one product group, each individual product group can be considered a partial classification of that product).

As per **Claim 41**, Carter further discloses: wherein the content in the database includes rules for interpreting other content in the database, and wherein the step of executing the query on the content in the database comprises the step of executing the rules in the database responsive to the query received via the API in order to generate the costing information (column 5, lines 8-29; column 19, lines 4-19; column 19, lines 20-50).

As per **Claim 43**, Carter further discloses: wherein the query identifies a shipment of a good and the step of executing the query on the content in the database comprises the step of generating a landed-cost estimate responsive to the query (column 5, lines 8-29; column 10, lines 22-53; column 19, lines 4-19; column 19, lines 20-50).

As per **Claim 44**, Carter further discloses: wherein the step of generating the landed-cost estimate comprises the step of estimating the landed cost responsive to the good's classification in the tree and the tariff associated with the good's classification (Figure 4B; column 3, lines 39-46; column 10, lines 22-53; column 19, lines 4-19; column 19, lines 20-50; the tree being an HS tree was addressed in the rejection for claim 29; the word "tax"encompasses tariffs).

As per **Claim 45**, Carter further discloses: estimating the landed cost responsive to freight rate information stored in the database describing rates for the shipment of the good (column 5, lines 8-29; column 10, lines 22-53; column 15, lines 24-37; column 19, lines 4-19; column 19, lines 20-50; estimating the landed cost responsive to the good's classification in the HS tree and the tariff associated with the good's classification was addressed in the rejections for claims 29 and 44; estimating step was addressed in the rejection for claim 43).

As per **Claim 46**, Carter discloses:

- a computer program product (column 5, lines 55-67);

- a computer-readable medium having computer program code embodied therein (column 5, lines 8-29; column 5, lines 55-67);
- enabling delivery of real-time costing information (column 3, lines 6-20; column 11, lines 45-67);
- a database module adapted to store content (column 19, lines 4-19);
- a tree having a hierarchy of nodes in which goods can be classified (Figure 4B; the tree being an HS tree is addressed later in this rejection);
- a tariffs module for storing information describing tariffs applicable to goods classified in nodes of the tree (Figure 4B; Figure 5; column 8, line 35, through column 9, line 2; column 9, line 40, through column 10, line 21; claims 31, 32, and 37; the tree being an HS tree is addressed later in this rejection; the word "tax" encompasses tariffs);
- a knowledge base module in communication with the database module, the knowledge base module adapted to provide an application programming interface (API) for receiving a query requesting costing information, executing the query on the content in the database module, and generating the requested costing information in response thereto (Figure 15A; Figure 15B; Figure 15C).

Carter fails to disclose a harmonized system (HS) module for storing information describing a country's HS tree. Pool et al. discloses a harmonized system (HS) module for storing information describing a country's HS tree (column 3, line 60, through column 4, line 20; column 6, line 51, through column 7, line 5). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter such that it includes a harmonized system (HS) module for storing information describing a country's HS

tree, as disclosed by Pool et al. Pool et al. provides motivation in that using an HS module allows one to determine the real price of an international transaction (column 6, line 51, through column 7, line 5).

As per **Claim 47**, Carter further discloses: wherein the knowledge base module is adapted to receive via the API information pertaining to the query that is not known in advance and wherein the knowledge base module utilizes the received information to generate the requested costing information (Figure 15A; Figure 15B; Figure 15C).

As per **Claim 48**, Carter further discloses: wherein the knowledge base module is adapted to receive via the API information pertaining to the query that overrides content stored in the database module and wherein the knowledge base module utilizes the received information to generate the requested costing information (Figure 7; Figure 15A; Figure 15B; Figure 15C; column 14, lines 1-42; column 14, line 43, through column 15, line 23; column 18, lines 27-49; user may set pricing rules which override the rules previously in the system; user may set specific override and exception rules).

As per **Claim 49**, Carter further discloses: wherein the knowledge base module comprises a data subscription module for initiating a transfer of content from an external source to the database module (column 5, lines 55-67; column 17, line 65, through column 18, line 26; column 19, lines 4-19; the user may modify the system; the system stores information in a database; the user may be an external source remote from the main part of the system).

As per **Claim 52**, Carter fails to disclose a module for identifying documentation utilized in a shipment of goods responsive to the content in the database module. Pool et al. further discloses a module for identifying documentation utilized in a shipment of goods responsive to the content in the database module (column 6, line 51, through column 7, line 5; column 11, line 36, through column 12, line 22). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 46 such that it includes a module for identifying documentation utilized in a shipment of goods responsive to the content in the database module, as disclosed by Pool et al. Pool et al. provides motivation in that proper documentation is needed so that a shipment can clear national customs (column 11, line 36, through column 12, line 22).

As per **Claim 54**, Carter further discloses: performing a catalog harmonization function for harmonizing goods according to the tree in the module in the database module and for storing content representative of the harmonization in the database module (Figure 4B; column 3, lines 39-46; column 7, lines 49-67; column 19, lines 4-19; the tree being an HS tree and the module being an HS module were addressed in the rejection for claim 46; in the reference, the user performs a catalog harmonization function). Carter further discloses using computers and programs to automate functions (Figure 3; column 5, lines 8-29; column 5, lines 55-67; column 19, lines 4-19; Carter doesn't specifically disclose a computer system and software performing the complete catalog harmonization function; however, it does disclose the user performing a catalog harmonization function and, separately, using computers and programs to perform other

functions). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 46 such that it uses computers and programs to automate the catalog harmonization function; in doing so, it would be using computers and programs to automate functions, as disclosed by Carter. Motivation is provided in that it was well-known to a person of ordinary skill in the art at the time of applicants' invention that computers and programs can often perform tasks more quickly and accurately than humans.

As per **Claim 56**, Carter further discloses: wherein the content in the database module further comprises a custom rules module for storing custom rules affecting the generation of the costing information wherein the knowledge base module is adapted to execute particular ones of the custom rules responsive to the query received via the API (Figure 4A; Figure 4B; column 5, lines 55-67; column 6, lines 17-53; column 7, lines 49-67; column 7, lines 49-67; column 10, line 54, through column 11, line 33; column 14, line 43, through column 15, line 23; column 16, line 53, through column 17, line 2; column 19, lines 4-19; column 19, lines 20-50; note all the ways in which the user can modify the pricing information in the database).

As per **Claim 57**, Carter further discloses: a classification function for accepting data representative of a good and for classifying the good in at least one node of the tree (Figure 4B; column 7, lines 49-67; the tree being an HS tree was addressed in the rejection for claim 46; knowledge base module was addressed in the rejection for claim 46; in the reference, the user is performing this classification function). Carter further discloses using computers and programs

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to automate functions (column 5, lines 55-67; claim 31; Carter doesn't specifically disclose a computer system and software performing the classification function; however, it does disclose the user performing a classification function and, separately, using computers and programs to perform other functions). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 46 such that it uses computers and programs to automate the classification function; in doing so, it would be using computers and programs to automate functions, as disclosed by Carter. Motivation is provided in that it was well-known to a person of ordinary skill in the art at the time of applicants' invention that computers and programs can often perform tasks more quickly and accurately than humans.

As per **Claim 58**, Carter further discloses: wherein the classification function is adapted to output a plurality of nodes in which the good can be classified (column 8, lines 15-34; the user may classify a product under more than one product group). Carter further discloses using computers and programs to automate functions (column 5, lines 55-67; claim 31; Carter doesn't specifically disclose a computer system and software performing the classification function; however, it does disclose the user performing a classification function and, separately, using computers and programs to perform other functions). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 46 such that it uses computers and programs to automate the classification function; in doing so, it would be using computers and programs to automate functions, as disclosed by Carter. Motivation is provided in that it was well-known to a person



of ordinary skill in the art at the time of applicants' invention that computers and programs can often perform tasks more quickly and accurately than humans.

As per **Claim 60**, Carter further discloses: wherein the classification function is adapted to output a partial classification of the good in the tree (Figure 4B; column 7, lines 49-67; column 8, lines 15-34; a classification module was addressed in the rejection for claim 57; the tree being an HS tree was addressed in the rejection for claim 46; using computers and programs to automate functions was addressed in the rejection for claim 57; the user may classify a product under more than one product group; therefore, any time a product has been classified in more than one product group, each individual product group can be considered a partial classification of that product).

As per **Claim 63**, Carter further discloses: wherein the content in the database module comprises rules, and wherein the knowledge base module comprises a rules module adapted to execute the rules in the database module responsive to the query received via the API in order to generate the costing information (column 5, lines 8-29; column 19, lines 4-19; column 19, lines 20-50).

As per **Claim 65**, Carter further discloses: wherein the knowledge base module comprises a landed-cost generation module for generating a landed-cost estimate responsive to a query identifying a shipment of a good and the content in the database module (column 5, lines 8-29; column 10, lines 22-53; column 19, lines 4-19; column 19, lines 20-50).

As per **Claim 66**, Carter further discloses: wherein the landed-cost generation module is adapted to estimate the landed cost responsive to the good's classification in the tree and the tariff associated with the good's classification (Figure 4B; column 3, lines 39-46; column 10, lines 22-53; column 19, lines 4-19; column 19, lines 20-50; the tree being an HS tree was addressed in the rejection for claim 46; the word "tax"encompasses tariffs).

As per **Claim 67**, Carter further discloses: wherein the landed-cost generation module is further adapted to estimate the landed cost responsive to freight rate information stored in the database module and describing rates for the shipment of the good (column 5, lines 8-29; column 10, lines 22-53; column 15, lines 24-37; column 19, lines 4-19; column 19, lines 20-50).

As per **Claim 69**, Carter further discloses: wherein the stored content comprises a tree having a hierarchy of nodes in which goods can be classified (Figure 4B; the tree being an HS tree is addressed later in this rejection); data describing tariffs applicable to goods classified in particular nodes of the tree (Figure 4B; Figure 5; column 8, line 35, through column 9, line 2; column 9, line 40, through column 10, line 21; claims 31, 32, and 37; the tree being an HS tree is addressed later in this rejection; the word "tax"encompasses tariffs). Carter fails to disclose data describing a country's harmonized system (HS) tree. Pool et al. discloses data describing a country's harmonized system (HS) tree (column 3, line 60, through column 4, line 20; column 6, line 51, through column 7, line 5). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter such that it includes data

describing a country's harmonized system (HS) tree, as disclosed by Pool et al. Pool et al. provides motivation in that using an HS tree allows one to determine the real price of an international transaction (column 6, line 51, through column 7, line 5).

As per **Claim 70**, Carter further discloses: wherein the stored content further comprises data describing a plurality of goods, and the goods' classifications in the nodes of the tree (Figure 4B; column 7, lines 49-67; column 8, lines 15-34; column 8, line 35, through column 9, line 2; the tree being an HS tree was addressed in the rejection for claim 69).

As per **Claim 75**, Carter further discloses: wherein the step of executing the rules and interpreting the data responsive to the query to generate the costing information comprises the step of identifying a good involved in a transaction to which the costing information pertains (column 19, lines 4-19); utilizing the stored content to determine a classification for the good in a tree (column 7, lines 49-67; the tree being at least one country's harmonized system (HS) tree will be addressed later in this rejection; the user may add a product to a previously made hierarchy); utilizing the stored content to determine a tariff associated with the determined classification and determining costing information responsive to the determined tariff (Figure 4B; column 3, lines 39-46; column 10, lines 22-53; column 19, lines 4-19; column 19, lines 20-50; the word "tax" encompasses tariffs). Carter fails to disclose wherein the tree is at least one country's harmonized system (HS) tree. Pool et al. discloses wherein the tree is at least one country's harmonized system (HS) tree (column 3, line 60, through column 4, line 20; column 6, line 51, through column 7, line 5). It would have been obvious to one of ordinary skill in the art

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at the time of applicants' invention to modify the invention of Carter such that the tree is at least one country's harmonized system (HS) tree, as disclosed by Pool et al. Pool et al. provides motivation in that using an HS tree allows one to determine the real price of an international transaction (column 6, line 51, through column 7, line 5).

As per **Claim 76**, Carter further discloses: wherein the step of executing the rules and interpreting the data responsive to the query to generate the costing information further comprises the step of determining a freight rate for shipping the good to a specified destination from the stored content (column 5, lines 8-29; column 10, lines 22-53; column 15, lines 24-37; column 19, lines 4-19; column 19, lines 20-50); wherein the costing information is determined responsive to the determined tariff and freight rate (Figure 4B; column 3, lines 39-46; column 10, lines 22-53; column 5, lines 8-29; column 15, lines 24-37; column 19, lines 4-19; column 19, lines 20-50; the word "tax"encompasses tariffs).

9. Claims 5-6, 33, and 50-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter in view of Pool et al. in further view of Slivka et al., U.S. Patent No. 6,049,671.

As per **Claim 5**, Carter further discloses: wherein the database further comprises a subscriber module adapted to receive data from the external source responsive to the transfer initiated by the data subscription module and further adapted to apply content in the data to the knowledge base and/or database responsive to instructions in the data (column 5, lines 55-67; column 17, line 65, through column 18, line 26; column 19, lines 4-19; the user may modify the system; the system stores information in a database; the user may be an external source remote

from the main part of the system; when the user modifies the system, the user implicitly must communicate to the system how to use the new data, or the system would not know how to use the new data). Carter and Pool et al. fail to disclose wherein the data is in the form of datapacks. Slivka et al. discloses wherein the data is in the form of datapacks (column 1, lines 11-19; column 13, lines 26-36; column 13, lines 57-67; column 16, line 55, through column 17, line 15; column 18, lines 35-48; applicants' specification [pp. 4 and 24-25] describes datapacks as compressed, self-contained, self-extracting packets which contain both content and instructions for using the content, as well as a means for authentication; the software updates in the reference are transmitted in a way that fits that description; the means for authentication is a digital signature). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 4 such that the data is in the form of datapacks, as disclosed by Slivka et al. Slivka et al. provides motivation in that it presents datapacks as one option for transmitting data updates (column 1, lines 11-19).

As per **Claim 6**, Carter and Pool et al. fail to disclose wherein each datapack further comprises information for authenticating the datapack and that information is utilized to authenticate the datapack. Slivka et al. further discloses wherein each datapack further comprises information for authenticating the datapack and that information is utilized to authenticate the datapack (column 1, lines 11-19; column 13, lines 26-36; column 13, lines 57-67; column 16, line 55, through column 17, line 15; column 18, lines 35-48; the limitation of a subscriber module was addressed in the rejection for claim 5; applicants' specification [pp. 4 and

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24-25] describes datapacks as compressed, self-contained, self-extracting packets which contain both content and instructions for using the content, as well as a means for authentication; the software updates in the reference are transmitted in a way that fits that description; the means for authentication is a digital signature). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 5 such that each datapack further comprises information for authenticating the datapack and that information is utilized to authenticate the datapack, as disclosed by Slivka et al. Slivka et al. provides motivation in that it presents authenticatable datapacks as one option for transmitting data updates (column 1, lines 11-19).

As per Claim 33, Carter further discloses: wherein the storing step further comprises receiving data from the external source responsive to the initiated transfer, the data comprising content and instructions for applying the content to the database (column 5, lines 55-67; column 17, line 65, through column 18, line 26; column 19, lines 4-19; the data being in the form of datapacks is addressed later in this rejection; the user may modify the system; the system stores information in a database; the user may be an external source remote from the main part of the system; when the user modifies the system, the user implicitly must communicate to the system how to use the new data, or the system would not know how to use the new data); applying the content in the data to the knowledge base and/or database responsive to the instructions in the data (column 5, lines 55-67; column 17, line 65, through column 18, line 26; column 19, lines 4-19; the data being in the form of datapacks is addressed later in this rejection; the user may modify the system; the system stores information in a database; the user may be an external

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source remote from the main part of the system; when the user modifies the system, the user implicitly must communicate to the system how to use the new data, or the system would not know how to use the new data). Carter and Pool et al. fail to disclose wherein the data is in the form of datapacks. Slivka et al. discloses wherein the data is in the form of datapacks (column 1, lines 11-19; column 13, lines 26-36; column 13, lines 57-67; column 16, line 55, through column 17, line 15; column 18, lines 35-48; applicants' specification [pp. 4 and 24-25] describes datapacks as compressed, self-contained, self-extracting packets which contain both content and instructions for using the content, as well as a means for authentication; the software updates in the reference are transmitted in a way that fits that description; the means for authentication is a digital signature). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 32 such that the data is in the form of datapacks, as disclosed by Slivka et al. Slivka et al. provides motivation in that it presents datapacks as one option for transmitting data updates (column 1, lines 11-19).

As per **Claim 50**, Carter further discloses: wherein the database module further comprises a subscriber module adapted to receive data from the external source responsive to the transfer initiated by the data subscription module and further adapted to apply content in the data to the database and/or knowledge base responsive to instructions in the data (column 5, lines 55-67; column 17, line 65, through column 18, line 26; column 19, lines 4-19; the user may modify the system; the system stores information in a database; the user may be an external source remote from the main part of the system; when the user modifies the system, the user implicitly

must communicate to the system how to use the new data, or the system would not know how to use the new data; the data being in the form of datapacks is addressed later in this rejection). Carter and Pool et al. fail to disclose wherein the data is in the form of datapacks. Slivka et al. discloses wherein the data is in the form of datapacks (column 1, lines 11-19; column 13, lines 26-36; column 13, lines 57-67; column 16, line 55, through column 17, line 15; column 18, lines 35-48; applicants' specification [pp. 4 and 24-25] describes datapacks as compressed, self-contained, self-extracting packets which contain both content and instructions for using the content, as well as a means for authentication; the software updates in the reference are transmitted in a way that fits that description; the means for authentication is a digital signature). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 49 such that the data is in the form of datapacks, as disclosed by Slivka et al. Slivka et al. provides motivation in that it presents datapacks as one option for transmitting data updates (column 1, lines 11-19).

As per **Claim 51**, Carter and Pool et al. fail to disclose wherein each datapack comprises information for authenticating the datapack and wherein this information is used to authenticate the datapack. Slivka et al. further discloses wherein each datapack comprises information for authenticating the datapack and wherein this information is used to authenticate the datapack (column 1, lines 11-19; column 13, lines 26-36; column 13, lines 57-67; column 16, line 55, through column 17, line 15; column 18, lines 35-48; the limitation of a subscriber module was addressed in the rejection for claim 50; applicants' specification [pp. 4 and 24-25] describes datapacks as compressed, self-contained, self-extracting packets which contain both content and



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instructions for using the content, as well as a means for authentication; the software updates in the reference are transmitted in a way that fits that description; the means for authentication is a digital signature). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 50 such that each datapack comprises information for authenticating the datapack and this information is used to authenticate the datapack, as disclosed by Slivka et al. Slivka et al. provides motivation in that it presents authenticatable datapacks as one option for transmitting data updates (column 1, lines 11-19).

10. Claims 11 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter in view of Pool et al. in further view of Thurston, Charles W., "Mercosur's Size Requires Multiplicity in Ventures," Journal of Commerce, 5 Edition, New York, March 17, 1999, p. 7A.

As per **Claim 11**, Carter further discloses: wherein the applications server is adapted to execute an application for performing a function responsive to the content in the database (column 3, lines 6-20; column 5, lines 55-67; column 19, lines 4-19; column 19, lines 20-50). Carter and Pool et al. fail to disclose wherein the function is duty engineering. Thurston discloses wherein the function is duty engineering (section A; reference describes the function of duty engineering). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 7 such that the function is duty engineering, as disclosed by Thurston. Thurston provides motivation in that performing the function of duty engineering can help cut costs (section A).

As per **Claim 53**, Carter further discloses: a module for performing a function responsive to the content in the database module (column 3, lines 6-20; column 5, lines 55-67; column 19, lines 4-19; column 19, lines 20-50). Carter and Pool et al. fail to disclose wherein the function is duty engineering. Thurston discloses wherein the function is duty engineering (section A; reference describes the function of duty engineering). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 46 such that the function is duty engineering, as disclosed by Thurston. Thurston provides motivation in that performing the function of duty engineering can help cut costs (section A).

11. Claims 16 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter in view of Pool et al. in further view of Hudgins, Christy, "International E-Commerce," Network Computing, November 15, 1999, pp. 75-92.

As per **Claim 16**, Carter further discloses: wherein the knowledge workbench comprises an editor module for modifying the information stored in a module in the database (column 5, lines 55-67; column 7, lines 49-67; column 13, lines 49-67; column 19, lines 4-19; information being related to legal compliance will be addressed later in this rejection; a module being a compliance module will be addressed later in this rejection; note all the ways in which the user can modify the pricing information in the database). Carter and Pool et al. fail to disclose wherein the content in the database includes a compliance module for storing information related to legal compliance. Hudgins discloses wherein the content in the database includes a compliance module for storing information related to legal compliance (section A; "database of

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regulatory content"). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 12 such that the content in the database includes a compliance module for storing information related to legal compliance, as disclosed by Hudgins. Hudgins provides motivation in that such a compliance module can help a company comply with international regulations (section A).

As per **Claim 55**, Carter and Pool et al. fail to disclose wherein the content in the database module further comprises a compliance module for storing information related to legal compliance of potential shipments of goods. Hudgins discloses wherein the content in the database module further comprises a compliance module for storing information related to legal compliance of potential shipments of goods (section A; "database of regulatory content"). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 46 such that the content in the database module further comprises a compliance module for storing information related to legal compliance of potential shipments of goods, as disclosed by Hudgins. Hudgins provides motivation in that such a compliance module can help a company comply with international regulations (section A).

12. Claims 20, 22-23, 37, 39-40, 59, and 61-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter in view of Pool et al. in further view of Copperman et al., U.S. Patent Application Publication No. US 2004/0024739 A1.

As per **Claim 20**, Carter and Pool et al. fail to disclose ranking in order of likelihood based on the accuracy of a classification. Copperman et al. discloses ranking in order of likelihood based on the accuracy of a classification (paragraphs [0155]-[0156]; the plurality of nodes output by the classification module was addressed in the rejection for claim 19; classifying goods in nodes was addressed in the rejection for claim 18; reference classifies documents on the basis of whether they match a given query). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 19 such that it ranks in order of likelihood based on the accuracy of a classification, as disclosed by Copperman et al. Copperman et al. provides motivation in that ranking based on classification accuracy allows for representation of how relevant a given item is to its classification (paragraph [0167]).

As per **Claim 22**, Carter and Pool et al. fail to disclose utilizing a textual description of an item to classify the item. Copperman et al. discloses utilizing a textual description of an item to classify the item (paragraphs [0007]-[0008]; paragraphs [0055]-[0061]; nodes of an HS tree were addressed in the rejection for claim 1; classification module was addressed in the rejection for claim 18; a good was addressed in the rejection for claim 18; here, the textual description of an item is the text that the item contains). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 18 such that it utilizes a textual description of an item to classify the item, as disclosed by Copperman et al. Copperman et al. implicitly provides motivation in that textual

descriptions of items tend to contain words which indicate how the item should be classified (paragraphs [0055]-[0061]).

As per **Claim 23**, Carter and Pool et al. fail to disclose utilizing classification rules to classify the item. Copperman et al. discloses utilizing classification rules to classify the item (paragraphs [0007]-[0008]; paragraphs [0055]-[0061]; nodes of an HS tree were addressed in the rejection for claim 1; classification module was addressed in the rejection for claim 18; a good was addressed in the rejection for claim 18; storing information in a database was addressed in the rejection for claim 1). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 18 such that it utilizes classification rules to classify the item, as disclosed by Copperman et al. Copperman et al. implicitly provides motivation in that classification rules are an effective way to classify items (paragraphs [0058]-[0061]).

As per **Claim 37**, Carter and Pool et al. fail to disclose ranking in order of likelihood based on the accuracy of a classification. Copperman et al. discloses ranking in order of likelihood based on the accuracy of a classification (paragraphs [0155]-[0156]; the step of identifying a plurality of nodes was addressed in the rejection for claim 36; the plurality of nodes was addressed in the rejection for claim 36; classifying goods in nodes was addressed in the rejection for claim 35; reference classifies documents on the basis of whether they match a given query). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 36 such that it

ranks in order of likelihood based on the accuracy of a classification, as disclosed by Copperman et al. Copperman et al. provides motivation in that ranking based on classification accuracy allows for representation of how relevant a given item is to its classification (paragraph [0167]).

As per **Claim 39**, Carter and Pool et al. fail to disclose classifying an item responsive to a textual description of the item. Copperman et al. discloses classifying an item responsive to a textual description of the item (paragraphs [0007]-[0008]; paragraphs [0055]-[0061]; the classifying step was addressed in the rejection for claim 35; a good was addressed in the rejection for claim 35; here, the textual description of an item is the text that the item contains). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 35 such that it classifies an item responsive to a textual description of the item, as disclosed by Copperman et al. Copperman et al. implicitly provides motivation in that textual descriptions of items tend to contain words which indicate how the item should be classified (paragraphs [0055]-[0061]).

As per **Claim 40**, Carter and Pool et al. fail to disclose classifying an item responsive to classification rules. Copperman et al. discloses classifying an item responsive to classification rules (paragraphs [0007]-[0008]; paragraphs [0055]-[0061]; the classifying step was addressed in the rejection for claim 35; a good was addressed in the rejection for claim 35; storing information in a database was addressed in the rejection for claim 35). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 35 such that it classifies an item responsive to classification

rules, as disclosed by Copperman et al. Copperman et al. implicitly provides motivation in that classification rules are an effective way to classify items (paragraphs [0058]-[0061]).

As per **Claim 59**, Carter and Pool et al. fail to disclose ranking in order of likelihood based on the accuracy of a classification. Copperman et al. discloses ranking in order of likelihood based on the accuracy of a classification (paragraphs [0155]-[0156]; a classification module for classifying goods in nodes was addressed in the rejection for claim 57; the plurality of nodes output by the classification module was addressed in the rejection for claim 57; reference classifies documents on the basis of whether they match a given query). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 57 such that it ranks in order of likelihood based on the accuracy of a classification, as disclosed by Copperman et al. Copperman et al. provides motivation in that ranking based on classification accuracy allows for representation of how relevant a given item is to its classification (paragraph [0167]).

As per **Claim 61**, Carter and Pool et al. fail to disclose utilizing a textual description of an item to classify the item. Copperman et al. discloses utilizing a textual description of an item to classify the item (paragraphs [0007]-[0008]; paragraphs [0055]-[0061]; at least one node of the HS tree was addressed in the rejection for claim 46; classification module was addressed in the rejection for claim 57; a good was addressed in the rejection for claim 57; here, the textual description of an item is the text that the item contains). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as

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modified in the rejection for claim 57 such that it utilizes a textual description of an item to classify the item, as disclosed by Copperman et al. Copperman et al. implicitly provides motivation in that textual descriptions of items tend to contain words which indicate how the item should be classified (paragraphs [0055]-[0061]).

As per **Claim 62**, Carter and Pool et al. fail to disclose utilizing classification rules to classify the item. Copperman et al. discloses utilizing classification rules to classify the item (paragraphs [0007]-[0008]; paragraphs [0055]-[0061]; nodes of an HS tree were addressed in the rejection for claim 46; classification module was addressed in the rejection for claim 57; a good was addressed in the rejection for claim 57; storing information in a database module was addressed in the rejection for claim 46). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 57 such that it utilizes classification rules to classify the item, as disclosed by Copperman et al. Copperman et al. implicitly provides motivation in that classification rules are an effective way to classify items (paragraphs [0058]-[0061]).

13. Claims 25, 42, and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter in view of Pool et al. in further view of Thuraisingham et al., U.S. Patent No. 5,694,590.

As per **Claim 25**, Carter and Pool et al. fail to disclose wherein the rules comprise Prolog code. Thuraisingham et al. discloses wherein the rules comprise Prolog code (column 23, line 54, through column 24, line 15; reference states that rule-based representations can be implemented in Prolog). It would have been obvious to one of ordinary skill in the art at the time



of applicants' invention to modify the invention of Carter as modified in the rejection for claim 24 such that the rules comprise Prolog code, as disclosed by Thuraisingham et al. Thuraisingham et al. provides motivation in that the reference states that rule-based representations can be implemented in Prolog; therefore, Prolog would be an option for that purpose (column 23, line 54, through column 24, line 15).

As per **Claim 42**, Carter and Pool et al. fail to disclose wherein the rules comprise Prolog code. Thuraisingham et al. discloses wherein the rules comprise Prolog code (column 23, line 54, through column 24, line 15; reference states that rule-based representations can be implemented in Prolog). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 41 such that the rules comprise Prolog code, as disclosed by Thuraisingham et al. Thuraisingham et al. provides motivation in that the reference states that rule-based representations can be implemented in Prolog; therefore, Prolog would be an option for that purpose (column 23, line 54, through column 24, line 15).

As per **Claim 64**, Carter and Pool et al. fail to disclose wherein the rules comprise Prolog code. Thuraisingham et al. discloses wherein the rules comprise Prolog code (column 23, line 54, through column 24, line 15; reference states that rule-based representations can be implemented in Prolog). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter as modified in the rejection for claim 63 such that the rules comprise Prolog code, as disclosed by Thuraisingham et al.

Thuraisingham et al. provides motivation in that the reference states that rule-based representations can be implemented in Prolog; therefore, Prolog would be an option for that purpose (column 23, line 54, through column 24, line 15).

14. Claim 72 is rejected under 35 U.S.C. 103(a) as being unpatentable over Carter in view of Hudgins. Carter fails to disclose wherein the stored content further comprises compliance data adapted for use in evaluating legal compliance of received queries. Hudgins discloses wherein the stored content further comprises compliance data adapted for use in evaluating legal compliance of received queries (section A; "database of regulatory content"). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of Carter such that the stored content further comprises compliance data adapted for use in evaluating legal compliance of received queries, as disclosed by Hudgins. Hudgins provides motivation in that such compliance data can help a company comply with international regulations (section A).

### ***Conclusion***

15. **Examiner's Note:** Examiner has cited particular portions of the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

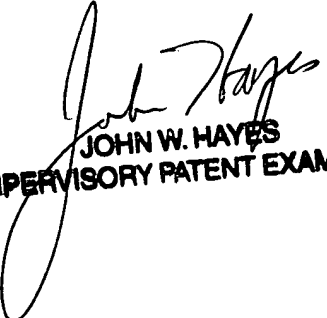
16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Erb whose telephone number is (571) 272-7606. The examiner can normally be reached on Mondays through Fridays, 8:30 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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nhe

  
**JOHN W. HAYES**  
**SUPERVISORY PATENT EXAMINER**